REMARKS

In the Action, the Examiner made reference to the prior art listed in the specification. In accordance with the Examiner's suggestion, an Information Disclosure Statement is being submitted concurrently with this responsive amendment in order to list and supply copies of the references which were not cited by the Examiner in the Official Action. The Examiner is requested to review the newly cited references at the same time that the present responsive amendment is also considered.

The Examiner objected to the disclosure in the specification because of an informality on page 3. By this Amendment, the portion of the specification objected to by the Examiner has been revised to correct the informality. It is now believed that the entire specification is in proper form.

The Examiner also objected to the drawings on the ground that reference characters 22 and 26 were both used to designate the interior chamber. Upon a review of the specification and drawings, however, it is believed that the drawings are in proper form as they presently exist. In this regard, 22 is referring to the "shaped wall" which is essentially the housing portion of the mirror head. Reference numeral 26 refers to the interior chamber inside the shaped wall or housing. It is believed that such usage is consistent throughout the specification and drawings and thus that a drawing correction is not needed.

Claims 7-10 and 12 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. By this Amendment, claims 1, 7, and 12 have been amended in order to differentiate between the first and second openings. It is now believed that these claims are in proper form and that the §112 rejection has been overcome.

On the merits, claims 1-5 and 11-13 were rejected under 35 U.S.C. §102(b) as being anticipated by the Kerper patent (U.S. No. 5,227,924). Also, claims 6-10 and 15 were rejected under 35 U.S.C. §103(a) as being obvious and thus unpatentable over the Kerper patent in view of the Oishei patent (U.S. No. 1,938,541). Finally, claim 14 was also rejected under §103 as being unpatentable over the Kerper patent. By this Amendment, independent claims 1, 13, and 15 (which are the only three dependent claims in the application) have been amended to further define the Applicant's invention and to move clearly distinguish it from the prior art. It is submitted that none of the prior art references, whether taken individually or in any permissible combination, disclose or suggest the Applicant's invention as now defined by claims 1-15.

As to the Kerper reference, independent claims 1 and 13 have been amended to point out that the "tightening means" is accessible outside the mirror head itself and thus not only exterior of the "interior chamber." The present invention allows the mirror head to be positioned on a mirror mount (such as a shaft member) and be rotated and tightened in an appropriate position from the outside of the mirror. This is contrary to the mirror mounting system disclosed in the Kerper patent. In Kerper, the position of the mirror and mirror head are determined and fixed in position prior to complete assembly of the mirror assembly. Once the reflecting glass is positioned in the mirror assembly, it is no longer possible to tighten the fastening screws from outside the mirror. As stated in column 4, lines 33-34, Kerper indicates that the mirror is mounted to the housing as the "final assembly step."

As a result, it is submitted that independent claims 1 and 13, together with claims 2-12 and 14 dependent therefrom, patentably distinguish over the Kerper patent and are in condition for allowance.

For the same reasons, dependent claims 6-10 patentably distinguish over the Examiner's combination of Kerper and Oishei, and claim 14 patentably distinguishes over Kerper, which was rejected on grounds of obviousness.

The Examiner also rejected claim 15 as being obvious and thus unpatentable over a combination of the Kerper and Oishei patents. Claim 15, however, relates to a "dual mounting member" in which a mirror can be affixed for mounting to either an elongated shaft member or a ball mounting mechanism. Although the Kerper patent relates to the mounting of a mirror assembly on a shaft-type member and Oishei relates to the mounting of a mirror on a ball-type member, neither disclose or suggest a mounting mechanism which allows the mounting of a mirror head on either an elongated shaft or a ball mount. There is simply no disclosure or suggestion in either Kerper or Oishei of such a dual-functioning mounting mechanism, and there clearly is no motivation in either of the references or anywhere in the art in order to provide such a unique and beneficial mounting mechanism. Thus, it is believed that independent claim 15 is allowable over the cited references.

In view of the foregoing, it is submitted that all of the claims remaining in the case, namely claims 1-15, are in proper form and patentably distinguish over the prior art. Accordingly, allowance of the claims and passage of the application to issuance are respectfully solicited.

Respectfully submitted,

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"VERSION WITH MARKINGS TO SHOW CHANGES MADE"

In the Specification

Paragraph [0009] on Pages 2 and 3 have been replaced with the following:

The general object of the present invention is the provision of an improved rear view mirror assembly connectable to a vehicle, the assembly comprising: a mirror head for mounting the mirror and attachable to the end portion of a support bracket spaced from the end portion of a vehicle support, the mirror head being formed as an integrally molded plastic piece and having an interior surface defining an interior chamber and a periphery shaped to receive the mirror, and securing means for securing the mirror head tightly yet turnably to the end portion of the support. In particular, the securing means comprises:

socket mans interiorly of the chamber and defining a socket for receiving the end portion, the socket means comprising

an endwall facing inwardly of the interior chamber, the endwall having an opening communicating with the socket,

a clamping plate, the endwall and the clamping plate being configured to form the socket for captivating the end portion and constraining the mirror head to turn about an axis through the socket, and

tightening means at least in part exteriorly of the interior chamber for forcing the clamping plate and the endwall towards one another and against the end portion when the end portion is disposed in the socket whereby to prevent the mirror head from turning relative to the end portion.

In the Claims:

Paragraphs 1, 7, 12, 13 and 15 have been replaced with the following:

1. (Amended) In a rear view mirror assembly comprising a mirror head for mounting a mirror and attachable to the end portion of a vehicle support bracket, said mirror head having an interior surface defining an interior chamber

and a periphery shaped to receive said mirror, and clamping means for clamping said mirror head tightly yet turnably to said end portion, the improvement wherein said clamping means comprises:

socket means interiorly of said interior chamber and defining a socket for receiving said end portion, said socket means comprising:

an endwall facing inwardly of said interior chamber, said endwall having [an] a first opening communicating with said socket,

a clamping plate, said endwall and said clamping plate being configured to form a socket for captivating said end portion and constraining said mirror head to turn about an axis through said socket, and

tightening means, at least in part disposed exteriorly of said interior chamber, for forcing said clamping plate and said endwall towards one another and against the end portion when said end portion is disposed in said socket whereby to prevent the mirror head turning relative to the end portion[.];

said tightening means being actuated from outside said mirror head and said interior chamber.

7. (Amended) The rear view mirror assembly as recited in Claim 6, wherein:

said end portion includes an axial stem connected to said ball, and

said endwall includes [an] a second opening sized to receive an end portion of said stem, said mirror head being able to rotate relative to the ball when said ball is captivated in said socket.

12. (Amended) The rear view mirror assembly as recited in Claim 11, wherein

said ribs are generally parallel to one another and disposed longitudinally of said arcuate end surfaces in longitudinally aligned relation, and

said mirror head has [an] a second opening provided at a location spaced from said socket means, said second opening being generally longitudinally aligned with said first and second sleeve portions.

13. (Amended) A mirror head for securement- to a vehicle support bracket, said mirror head comprising:

a head wall formed as an integrally molded plastic piece and having an interior surface defining an interior chamber and a periphery shaped to receive a mirror,

mounting means for clamping said mirror head tightly yet turnably to an end portion of said support bracket, said mounting means comprising:

socket means interiorly of said interior chamber and defining a socket for receiving said end portion, said socket means comprising:

an endwall facing inwardly of said interior chamber, said endwall having an opening communicating with said socket,

a clamping plate, said endwall and said clamping plate being configured to form a socket for captivating said end portion and constraining said mirror head to turn about an axis through said socket, and

tightening means, disposed at least in part exteriorly of said interior chamber, for forcing said clamping plate and said endwall towards one another and against the end portion when said end portion is disposed in said socket to thereby prevent the mirror head turning relative to the end portion[.];

said tightening means being actuated from outside said mirror head and said interior chamber.

15. (Amended) A dual mounting member for mounting a mirror head to a mirror shaft, comprising:

a clamping plate having a central substantially semi-spherical portion, a pair of opposed sleeve portions extending outwardly from the hemispherical portion,

a ribbed endwall mating with the clamping plate and having a plurality of spaced apart discontinuous ribs, the discontinuity forming a hemispherical portion complimentary to the hemispherical portion of the champing plate, the endwall having a pair of opposed sleeve portions extending from the hemispherical portion, and

wherein when the clamping plate and endwall are mated the hemispherical portions cooperate to define a ball receiving socket adapted to receive a ball mount and the sleeves and the socket cooperate to define a shaft receiving passageway adapted to receive an elongated shaft[.];

wherein said dual mounting member can mount a mirror head to a shaft with said shaft either having a ball mount or having an elongated shaft.